

DIAA Board of Directors' Meeting Minutes  
Thursday, April 14, 2016 – 9:00 a.m.  
Collette Building

I. Opening

A. Call to Order

The meeting was called to order at 9:05 a.m. by Chairperson Terre Taylor.

Ms. Taylor introduced new Board member Dr. Bradley Bley and new Deputy Attorney General Laura Makransky.

B. Roll Call

The following DIAA Board members were present: Terre Taylor, Curtis Bedford, Dr. Evelyn Edney, Ted Laws, Dr. Bradley Layfield, Douglas Thompson, Craig Eliassen, Gary Cimaglia, Robert Cilento, Mike Hart, Susan Coffing, Leroy Mann, Ron Eby, Dr. Mark Holodick, Mike Breeding and Amelia Hodges. Laura Makransky Deputy Attorney General, DIAA staff Thomas Neubauer and Tina Bates were also in attendance. Kevin Charles, Dr. Kevin Fitzgerald and Susanne Williams were unable to attend.

C. Approval of Agenda

Ms. Taylor stated that Item III. C. was being removed from the agenda and Item III. F. was being added to the agenda. Mr. Hart made a motion to approve the agenda as amended. The motion was seconded by Mr. Breeding and carried unanimously.

D. Approval of Minutes of DIAA March 10, 2016 Board Meeting

Mr. Cilento made a motion to approve the minutes of the March 10, 2016 Board meeting. The motion was seconded by Mr. Cimaglia and carried unanimously.

E. DIAA Financial Report

Mr. Neubauer reported that the revenue for FY16 was \$731,526 which is 88% of the projected budget. Revenue for the month of March was \$246,598 which mostly included tournament revenue from winter sports, spring sport sponsorship, interest member dues, and corporate sponsorships. Mr. Neubauer then reported that the expenses for the FY16 were \$674,566. Expenses for the month of March were \$108,129 which included expenses for salary and OEC's, contractual, NFHS Dues, AD grant, and winter sport expenses. Mr. Eby made a motion to approve the financial report. The motion was seconded by Mr. Cilento and carried unanimously.

II. Public Comment

None

III. A. Approval of Tournament Sanctions

Mr. Neubauer reported that DIAA received 14 requests for sanctioning. Mr. Neubauer reported that the 14 events included 12 outdoor track which 11 were approved and 1 denied, 1 lacrosse which was approved, and 1 boys' volleyball that was approved. Mr. Neubauer commented that DIAA does not recognize boys' volleyball but that some member schools do play it. Mr. Neubauer stated that to the best of his knowledge the events were in compliance with DIAA and NFHS regulations. Dr. Layfield made a motion to approve the sanction events. The motion was seconded by Mr. Bedford and carried unanimously.

B. Request to Waive 1009.2.4 by Smyrna High School for DIAA 2016-4-1

Student and Student's mother, and Bill Schultz; athletic director at Smyrna High School were in attendance to present this request. Student's mother requested a closed hearing. Mr. Eby recused himself from this hearing. Dr. Layfield made a motion to go into executive session at the parent's request for the purposes of protecting the privacy of the pupil file as an exception to the Freedom of Information Act. The motion was seconded by Mr. Bedford and carried unanimously.

While in executive session, the hearing proceeded, evidence was taken, and the Board held deliberations. Ms. Taylor explained that DIAA is a 20 member Board and has 19 voting members. Ms. Taylor further explained that the law requires the affirmative vote of a majority of the voting members present in order to pass a waiver request. Ms. Taylor explained that there was less than a full Board present and there were 14 voting members present and participating to consider the matter. The parties confirmed that they understood and wished to proceed with less than the full Board present. All persons participating in this hearing were sworn in. All the documentation was made part of the record and in addition to the testimony given the Board considered and relied upon the written documentation provided.

Mr. Laws made a motion to go into deliberation. The motion was seconded by Mr. Hart and carried unanimously. Mr. Cimaglia made a motion to come out of deliberation. The motion was seconded by Mr. Cilento and carried unanimously. Dr. Layfield made a motion to come out of executive session. The motion was seconded by Ms. Coffing and carried unanimously.

Mr. Hart made a motion to grant Student's request and allow student to participate in all DIAA events based on the evidence of a hardship involving the deaths in student's family. The motion was seconded by Dr. Layfield and carried by 14- yes (Taylor, Bedford, Edney, Laws, Eliassen, Cimaglia, Layfield, Cilento, Coffing, Hart, Breeding, Holodick, Bley, and Thompson)

G. Action by the Board to Hire an Investigator

The Board discussed the need to investigate schools, athletes, coaches, administrators, officials, or spectators of sports programs at member schools when DIAA or the Board is made aware of potential violations of rules and regulations. Dr. Holodick added that DIAA should hire additional staff to perform such investigations. Mr. Cimaglia made a motion to bring in third party investigators to conduct investigations of alleged violations by member school athletic programs. The motion was seconded by Mr. Laws and carried unanimously.

E. Selection of Screening Committee and Path Forward for Executive Director

Ms. Taylor, Mr. Bedford, and Mr. Neubauer recused themselves from this discussion. Dr. Layfield commented that the DIAA Executive Director position has been posted and that a screening committee and an interview committee would need to be formed. Dr. Hodges recommended Woody Long, Gerry Kobasa, Jack Holloway, and Tina Bates. The Board recommended someone from the Chiefs also be selected to serve on this committee. Dr. Hodges stated that she will ask Debbie Wicks from Smyrna to see if she will serve.

Dr. Hodges asked the Board for volunteers to serve on the interview committee. Mr. Mann, Dr. Edney, Mr. Hart, Mr. Laws, Mr. Cilento commented that they would serve on the committee. Dr. Hodges commented that Dr. Fitzgerald also stated that he would serve on the interview committee. Dr. Hodges asked Dr. Bley if he would be available and he responded depending on the schedule of meetings. Dr. Hodges also commented that she would serve on the committee as well as a Department of Education representative.

Dr. Holodick made a motion to give the Interview Committee the authority to take to the Secretary of Education the applicant they have chosen without approval by the DIAA Board. The motion was seconded by Mr. Laws and carried unanimously.

III. F. Request to Waive 1009.2.4 by Caravel Academy for DIAA 2016-4-3

Student and Student's mother were in attendance to present this request. Student's mother requested a closed hearing. Dr. Layfield made a motion to go into executive session at the mother's request for the purposes of protecting the privacy of the pupil file as an exception to the Freedom of Information Act. The motion was seconded by Mr. Cimaglia and carried unanimously.

While in executive session, the hearing proceeded, evidence was taken, and the Board held deliberations. Ms. Taylor explained that DIAA is a 20 member

Board and has 19 voting members. Ms. Taylor further explained that the law requires the affirmative vote of a majority of the voting members present in order to pass a waiver request. Ms. Taylor explained that there was less than a full Board present and there were 13 voting members present and participating to consider the matter. The parties confirmed that they understood and wished to proceed with less than the full Board present. All persons participating in this hearing were sworn in. All the documentation was made part of the record and in addition to the testimony given the Board considered and relied upon the written documentation provided.

Mr. Laws made a motion to go into deliberation. The motion was seconded by Mr. Cimaglia and carried unanimously. Mr. Laws made a motion to come out of deliberation. The motion was seconded by Dr. Layfield and carried unanimously. Mr. Laws made a motion to come out of executive session. The motion was seconded by Mr. Eby and carried unanimously.

Mr. Mann made a motion to grant Student's request and allow student to participate in all DIAA events based on the evidence of a financial hardship. The motion was seconded by Mr. Laws and carried by a vote of 11– yes (Taylor, Bedford, Edney, Laws, Eliassen, Layfield, Cilento, Hart, Eby, Mann, and Bley) and 2 – no (Cimaglia and Breeding)

#### D. Criteria for Schools to be Permitted to Play 8<sup>th</sup> Graders Up

Mr. Neubauer stated that Mr. Charles is looking for criteria for schools to use due to new regulation 1009.7.3 in order to play 8<sup>th</sup> grade students at the high school level. Mr. Neubauer explained that schools need to apply in order to play 8<sup>th</sup> graders at the high school level and there should be a criteria in place that schools would have to meet. After some discussion on what constitutes an Administrative Unit and that the schools should be on the same campus. The Board felt that what was listed in the new regulation was acceptable and then would want to review the applications that schools submit during the 2016-17 school year and then review criteria at that time.

Dr. Layfield made a motion to accept 2.7.3.1 as written and have schools submit their applications for review by DIAA. DIAA will review in one year. The motion was seconded by Mr. Cilento and carried unanimously.

#### IV. Executive Director Report

A. Legal - Nothing at this time.

B. Misc.

### April DAAD Meeting Report

Mr. Hart stated that the DAAD meeting was well attended, sessions on the Rules and Regulations process and the Realignment process were presented. Athletic Directors had the opportunity to discuss several new issues with the DIAA Staff and all member schools in attendance.

Swim & Dive State Meet Report was submitted to the Board from Committee Chair Mike Hart. The Meet was noteworthy due to having to suspend competition on Wednesday because of a severe lightning storm that by UD protocol requires the pool area to be cleared. The Meet resumed on Thursday with very little difficulty. The DIAA Swim Committee and the UD Staff did a fantastic job moving people through the two Thursday sessions. Even with the longer session the University of Delaware was very fair with the costs of this event.

Girls Basketball Tournament Report was submitted to the Board by Committee Chair Ruth LaJoie. Mr. Neubauer reported that the Tournament was conducted by the Committee without any problems. Attendance was above expectations and the caliber of play by many young teams was outstanding.

2015-16 Attendance Update – Mr. Neubauer reported that the attendance at most events was above average and may approach last year's record attendance figures.

Update on Board Member Nominations - Mr. Neubauer reported that names for two open positions have been submitted to the Governor's Office for approval. Two other positions are in the process of being filled.

- V. Other
- VI. Public Comment
- None.
- VII. Adjournment

Mr. Cimaglia made a motion to adjourn at 11:35 a.m. The motion was seconded by Mr. Cilento and carried unanimously.

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Tina Bates